

Kenneth M. Miller, SBN: 131874

Whitney Z. Bernstein: SBN: 304917

BIENERT, MILLER & KATZMAN, PLC

903 Calle Amanecer, Suite 350

San Clemente, California 92673

Telephone (949) 369-3700

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

In the Matter of the Seizure of:

Any and all funds held in Republic Bank
of Arizona Account(s) xxxx1889,
xxxx2592, xxxx1938, xxxx2912, and,
xxxx2500 (and Related Cases)DISTRICT COURT CASE NO: 2:18-cv-06742-RGK-PJWAPPEALS COURT CASE NO: 18-56455**TRANSCRIPT DESIGNATION FORM****INSTRUCTIONS:**

For additional information about designating transcripts on appeal, refer to the Federal Rules of Appellate Procedure, the local rules of the circuit in which the appeal is pending, and the instructions below. Please file a separate Transcript Designation Form ("TDF") in each district court case in which transcripts are being designated.

1. Decide Which Transcripts to Designate. The parties to the appeal must each decide which parts of the proceedings in this Court are necessary to the record on appeal, and ensure that a transcript is prepared for each such part, which must be listed in the chart below (attach additional pages if necessary). If you do not intend to designate any transcripts of the proceedings in this Court as part of the record on appeal, you must so indicate below.

2. Determine Whether Those Transcripts Have Already Been Filed. For each proceeding listed in the chart below, you must review the Court's docket to see if a transcript has already been prepared and filed. If it has, provide the docket number; if not, check the box to indicate that you have ordered it.

3. Order Any Transcripts That Have Not Yet Been Filed. Before filing this form, you must complete and submit a G-120 Transcript Order Form for any transcripts not already on the docket. **IMPORTANT:** Transcripts are not considered ordered until the G-120 form has been submitted and you have made payment arrangements with the court reporter or transcription company, or received authorization for the transcript to be paid for out of Criminal Justice Act ("CJA") funds.

DATE	JUDGE (initials)	PROCEEDING TYPE / PORTION	COURT REPORTER	TRANSCRIPT E-FILED? CM/ECF DOCKET NO.?
08/03/2018	PWJ	Telephonice Conference Re: Motion to Vacate or Modify Seizures in predecessor case 18-MJ-00722	Recorded; Court Smart	<input type="checkbox"/> Yes; Dkt # <i>See attached</i> <input type="checkbox"/> No; I have ordered it.
				<input type="checkbox"/> Yes; Dkt # <input type="checkbox"/> No; I have ordered it.
				<input type="checkbox"/> Yes; Dkt # <input type="checkbox"/> No; I have ordered it.
				<input type="checkbox"/> Yes; Dkt # <input type="checkbox"/> No; I have ordered it.
				<input type="checkbox"/> Yes; Dkt # <input type="checkbox"/> No; I have ordered it.
				<input type="checkbox"/> Yes; Dkt # <input type="checkbox"/> No; I have ordered it.
				<input type="checkbox"/> Yes; Dkt # <input type="checkbox"/> No; I have ordered it.
				<input type="checkbox"/> Yes; Dkt # <input type="checkbox"/> No; I have ordered it.

I hereby certify that (*check one of the following and sign below*):Continued on additional page(s)? ☒ Yes ☐ No☐ I do not intend to designate any portion of the transcript. ☒ *See Attached Addendum.*☐ All transcripts listed above are already on file in the U.S. District Court case at the docket numbers provided.

All transcripts listed above that are not already on file in the U.S. District Court have been ordered. I have submitted one or more G-120 Transcript Order Forms in accordance with that form's instructions, and have made all necessary payment arrangements.

☐ I will pay all charges for transcripts I have ordered, or, where applicable, take all necessary steps to secure payment under the CJA. (Indicate here if CJA funds to be used: ☐ .)

Date 11/12/2018Signature /s/ Thomas H. Bienert, Jr.

Thomas H. Bienert, Jr., State Bar No. 135311
tbienert@bmkattorneys.com
Kenneth M. Miller, State Bar No. 151874
kmiller@bmkattorneys.com
Whitney Z. Bernstein, State Bar No. 304917
wbernstein@bmkattorneys.com
BIENERT, MILLER & KATZMAN, PLC
903 Calle Amanecer, Suite 350
San Clemente, California 92673
Telephone (949) 369-3700
Facsimile (949) 369-3701

Attorneys for Movant James Larkin

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

In the Matter of the Seizure of:

Any and all funds held in Republic Bank of
Arizona Account(s) xxxx1889, xxxx2592,
xxxx1938, xxxx2912, and, xxxx2500 (*and
Related Cases*)

Case No.: 2:18-cv-06742-RGK (PJW)

Related Case Nos.: 2:18-cv-08423-RGK-PJW;
2:18-cv-08551-RGK-PJW; 2:18-cv-08555-
RGK-PJW; 2:18-cv-08556-RGK-PJW; 2:18-
cv-08565-RGK-PJW; 2:18-cv-08566-RGK-
PJW; 2:18-cv-08568-RGK-PJW; 2:18-cv-
08569-RGK-PJW; 2:18-cv-08570-RGK-PJW;
2:18-cv-08577-RGK-PJW; 2:18-cv-08578-
RGK-PJW; 2:18-cv-08579-RGK-PJW; 2:18-
cv-08588-RGK-PJW; 2:18-cv-08592-RGK-
PJW; 2:18-cv-08723-RGK-PJW; 2:18-cv-
08730-RGK-PJW; 2:18-cv-08747-RGK-PJW;
2:18-cv-08748-RGK-PJW; 2:18-cv-08749-
RGK-PJW; 2:18-cv-08750-RGK-PJW; 2:18-
cv-08753-RGK-PJW; 2:18-cv-08754-RGK-
PJW; 2:18-cv-08759-RGK-PJW; 2:18-cv-
08760-RGK-PJW; 2:18-cv-08763-RGK-PJW;
2:18-cv-08764-RGK-PJW

**TRANSCRIPT DESIGNATION
FORM ADDENDUM**

The Motion to Vacate or Modify Seizure Warrants was originally filed under case number 18-MJ-00722 as a challenge to a single civil seizure warrant, along with a notice of related cases to consolidate challenges to numerous related civil seizure warrants. Magistrate Judge Patrick Walsh consolidated all the cases at the above-referenced hearing. Appellant obtained the above-referenced hearing transcript under that case number. The district court subsequently transferred this case to District Court Judge Klausner and re-assigned it case number 18-CV-06742. However, the transcript for the above-referenced hearing does not appear on the docket for 18-CV-06742. Further, Appellants cannot tell if it has been filed under case number 18-MJ-00722, because that case is purportedly still under seal. At a minimum, a copy of this transcript will be included with Appellant's Excerpt of Record.

/s/ Thomas H. Bienert, Jr.

Thomas H. Bienert, Jr.

Bienert, Miller & Katzman, PLC

Attorneys for Appellant James Larkin

CERTIFICATE OF SERVICE

I certify that on this 12th day of November, 2018, I electronically transmitted a PDF version of this document to the Clerk of Court, using the CM/ECF System, for filing and for transmittal of a Notice of Electronic Filing to the following CM/ECF registrants listed below.

/s/ Toni Thomas
Toni Thomas

CM/ECF Registrants:

Whitney Z. Bernstein, wbernstein@bmkattorneys.com, 4579179420@filings.docketbird.com

Thomas Henry Bienert, Jr., tbienert@bmkattorneys.com,
4579179420@filings.docketbird.com, admin@bmkattorneys.com

Anthony Ray Bisconti, tbisconti@bmkattorneys.com, 3166673420@filings.docketbird.com,
admin@bmkattorneys.com

Paul John Cambria, Jr., pcambria@lglaw.com, kdrewery@lglaw.com, gpelletterie@lglaw.com,
akelly@lglaw.com, emccampbell@lglaw.com

Janey Henze Cook, janey@henzecoockmurphy.com

Robert Corn-Revere, bobcornrevere@dwt.com, carolkaltenbaugh@dwt.com,
wdcdocket@dwt.com

Bruce S. Feder, bf@federlawpa.com, fl@federlawpa.com

James C. Grant, jamesgrant@dwt.com, danielanajera@dwt.com, seadocket@dwt.com,
kathleenforgette@dwt.com

John Jacob Kucera, john.kucera@usdoj.gov, caseview.ecf@usdoj.gov,
shannen.beckman@usdoj.gov, deena.bowman@usdoj.gov, usacac.criminal@usdoj.gov

Gary S. Lincenberg, gsl@birdmarella.com, kjf@birdmarella.com, docket@birdmarella.com

Erin E. McCampbell, emccampbell@lglaw.com

Kenneth Morley Miller, kmiller@bmkattorneys.com, 4579179420@filings.docketbird.com,
admin@bmkattorneys.com

1 Ariel A. Neuman, aan@birdmarella.com, brl@birdmarella.com, rec@birdmarella.com

2 Gopi K. Panchapakesan, gkp@birdmarella.com, kmm@birdmarella.com

3 John K. Rubiner, jrubiner@bkolaw.com, lbarney@bkolaw.com

4 Scott R. Commerson, scottcommerson@dwt.com, laxdocket@dwt.com, myraizzo@dwt.com